



DONALD L. WOLFE, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

September 21, 2006

IN REPLY PLEASE

REFER TO FILE: MP-5

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION  
COTTAGE STREET SOUTH OF FLORENCE AVENUE  
AND A PORTION OF ALLEY EAST OF COTTAGE STREET - WALNUT PARK  
SUPERVISORIAL DISTRICT 1  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find that the vacation of Cottage Street south of Florence Avenue and a portion of Alley east of Cottage Street, pursuant to the enclosed Resolution of Summary Vacation, is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Sections 15304, 15305, and/or 15321 of Title 14 of the California Code of Regulations (the State CEQA Guidelines).
2. Find that:
  - a. Pursuant to Section 8334(a) of the California Streets and Highways Code, Cottage Street south of Florence Avenue and a portion of Alley east of Cottage Street (hereinafter collectively referred to as the Easements) are excess and not required for street or highway purposes.

- b. As required by Section 892 of the California Streets and Highways Code, the Easements are not useful as nonmotorized transportation facilities.
3. Adopt the enclosed Resolution of Summary Vacation, Cottage Street south of Florence Avenue and a portion of Alley east of Cottage Street, to vacate the Easements described in Exhibit A and depicted in Exhibit B of the Resolution.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Primestor Development, Inc. (PDI), on behalf of Florence Alameda Assoc., LLC, the underlying fee owner, requested this vacation to remove from the record County interest and public easement rights within the proposed vacation areas. PDI proposes to merge the areas vacated into the redevelopment project La Alameda, a proposed regional shopping center at the corner of Florence Avenue and Alameda Street. Vacation of the Easements provides additional buildable area to the proposed shopping center.

The proposed redevelopment project will help support the community's interest by creating access to commerce activities in the area. Vacation of the Easements will have no impact on traffic circulation and will not cut off access to adjacent properties or negatively impact the surrounding properties.

It is in the County's best interest to vacate these rights of way since they no longer serve the purpose for which they were dedicated and are not required for general public access, circulation, or as nonmotorized transportation facilities.

### **Implementation of Strategic Plan Goals**

This action meets the County Strategic Plan Goal of Service Excellence. By vacating and allowing the street and alley to merge with the adjoining properties, the development will help improve the quality of life of the residents in the immediate area. This action is also consistent with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of the Easements will result in added revenue through assessment and taxation and reduce the County's possible exposure to liability.

### **FISCAL IMPACT/FINANCING**

Vacation of the Easements will not have a negative fiscal impact on the County's budget. The applicant has paid a \$2,000 fee to defray the expense of the investigation. The fee is authorized by your Board in a Resolution adopted May 4, 1982, Synopsis 62 (Fee

Schedule), and as prescribed in Section 8321(d) of the California Streets & Highways Code.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The areas to be vacated contain approximately 7,769 square feet and are shown on the map attached to the Resolution.

The Streets and Highways Code Section 8334 provides "The legislative body of a local agency may summarily vacate any of the following: (a) An excess right of way of a street or highway not required for street or highway purposes."

The County's interest was acquired by dedication on maps of Rem Nadeau Tract, recorded in Book 6, page 71, of Maps, and Tract No. 30326, filed in Book 819, pages 41 and 42, of Maps, both on file in the office of the Registrar-Recorder/County Clerk as easements for public street and alley purposes.

Adoption of the enclosed Resolution will terminate the County's right and interest in the Easements. Your action will also result in the property being unencumbered of the Easements, thereby allowing the underlying fee owner to exercise his reversionary rights over the vacated area.

### **ENVIRONMENTAL DOCUMENTATION**

Based on the foregoing, this proposed vacation is categorically exempt from CEQA as specified in Sections 15304, 15305, and/or 15321 of the State CEQA Guidelines.

### **IMPACT ON CURRENT SERVICES OR PROJECTS**

The Fire Department has determined that the proposed vacation will not affect their ability to respond to fire and medical emergencies and that no fire protection facilities will be affected by the proposed vacation. The Regional Planning Commission has determined that the proposed vacation is not in conflict with the County-adopted General Plan. The Departments of Parks and Recreation and Regional Planning have determined that the vacation areas are not suitable for bicycle paths and trails.

### **CONCLUSION**

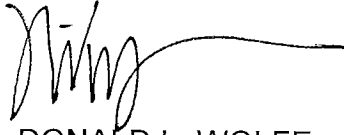
This action is in the County's best interest. Enclosed are two originals of the Resolution of Summary Vacation, approved as to form by County Counsel. Upon adoption of the Resolution, please return one executed original and a copy to us for further processing.

The Honorable Board of Supervisors  
September 21, 2006  
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We will record the Resolution and return the executed original Resolution to you when recorded. In the interim, please retain one executed original for your files.

One adopted copy of this letter is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Wolfe', with a long horizontal flourish extending to the right.

for DONALD L. WOLFE  
Director of Public Works

JLS:gp  
P5:\BRD LTER COTTAGE ST

Enc.

cc: Chief Administrative Officer  
County Counsel

**RESOLUTION OF SUMMARY VACATION  
COTTAGE STREET SOUTH OF FLORENCE AVENUE AND A PORTION OF ALLEY  
EAST OF COTTAGE STREET**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES  
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of easements for public streets and alley purposes (hereinafter referred to as the Easements) in, over, and across the real properties legally described in Exhibit A, and depicted on Exhibit B, both attached hereto. The Easements, south of Florence Avenue and east of Cottage Street, are generally located in the vicinity of Walnut Park in the County of Los Angeles State of California.
2. The Easements are excess rights of way and not required for street or highway purposes.
3. There are no in-place public utility facilities that are in use and would be affected by the vacation of the Easements.
4. The Easements are not useful as nonmotorized transportation facilities as defined in Section 887 of the Streets and Highways Code.
5. The Easements are hereby vacated pursuant to Chapter 4, Part 3, Division 9 of the Streets and Highways Code, State of California, commencing with Section 8330.
6. Public Works be authorized to record the certified original Resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easements shall no longer constitute public easements.
7. From and after the date this Resolution is recorded, the Easements no longer constitute a street, highway, or public service easement.

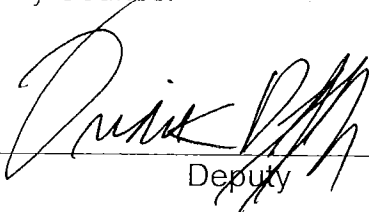
The foregoing Resolution was on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio, the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.,  
County Counsel

SACHI A. HAMAI  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By \_\_\_\_\_



Deputy

By \_\_\_\_\_

Deputy

## **EXHIBIT A**

**Cottage Street south of Florence  
Avenue and a Portion of Alley East of  
Cottage Street**  
A.P.N 6025-026  
T.G. 674-H7  
I.M. 099-217  
First District  
M0588116-2

### **LEGAL DESCRIPTION** (Vacation of Easement)

#### **PART A: (COTTAGE STREET)**

That portion of COTTAGE STREET, 50 feet wide, of REM NADEAU TRACT, as shown on map recorded in Book 6, page 71, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, bounded on the north by the westerly prolongation of the northerly line of Lot 25 of said Tract, and bounded on the south by the westerly prolongation of a line parallel with and 20 feet southerly, measured at right angles from the southerly line of said Lot 25.

Excepting therefrom that portion lying within the following described boundaries:

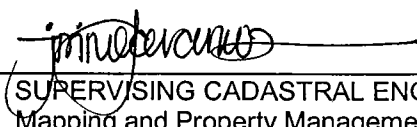
Beginning at the northwesterly corner of said Lot 25; thence westerly, along said westerly prolongation of the northerly line of Lot 25, a distance of 33.00 feet; thence southeasterly in a direct line, to a point in the westerly line of said Lot 25, said point being distant 14 feet southerly, along said westerly line, from said northwesterly corner; thence northerly along said westerly line to the point of beginning.

Total Area: 6,769 square feet.

#### **PART B: (ALLEY)**

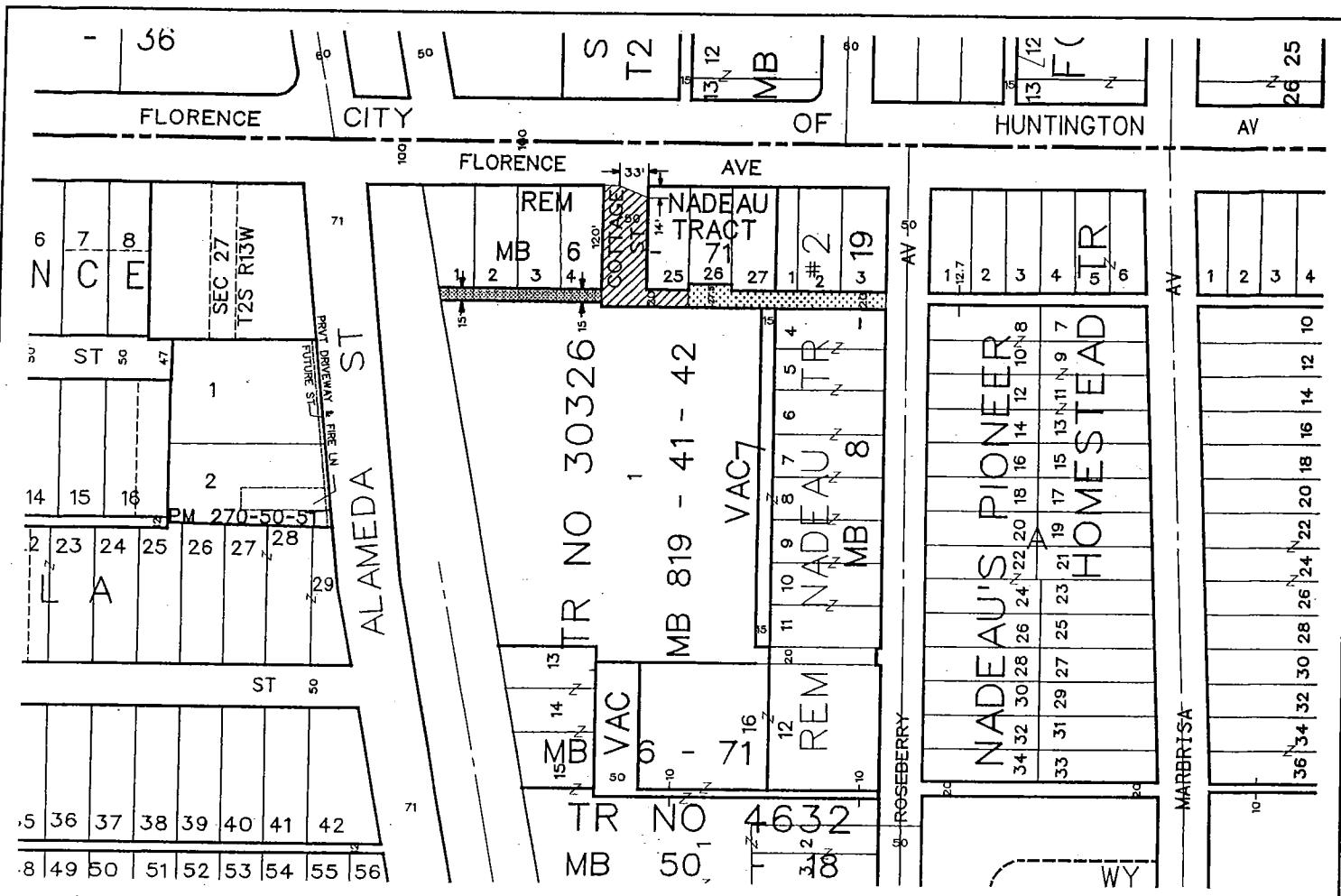
That portion of that certain Alley, 20 feet wide, of Tract No. 30326, as shown on map filed in Book 819, pages 41 and 42, of above-mentioned Maps, lying southerly of and adjoining above-mentioned Lot 25.

Total Area: 1,000 square feet.

APPROVED AS TO DESCRIPTION	
<u>September 12</u> , <u>2006</u>	
COUNTY OF LOS ANGELES	
By	<u></u>
SUPERVISING CADASTRAL ENGINEER II Mapping and Property Management Division	

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.

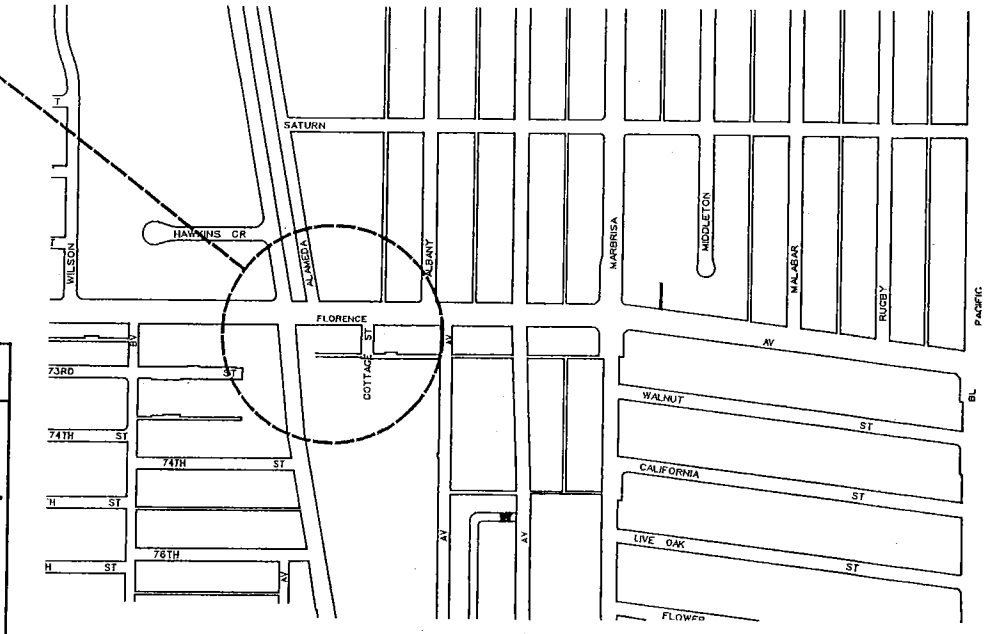
RA:sl  
MP-5\Leg cottage



**SUBJECT LOCATION**

**EXHIBIT B**

**RIGHT OF WAY ENGINEERING**



LEGEND	
	Area to be vacated
Total Area 7,769 ± s.f.	
	Vacation adopted by Board of Supervisor on 12/6/05
	Vacated

REVISIONS			
1.	2.	3.	
DEPARTMENT OF PUBLIC WORKS			
MAPPING & PROPERTY MANAGEMENT DIVISION			
SD. 1	RD. 141	A.M.B. 6025-026	T.G. 674-H7
SCALE NONE		DATE 06-12-06	I.M. 099-217
COTTAGE ST S/O FLORENCE AVE AND A PORTION OF ALLEY E/O COTTAGE ST			DRAWING NO. M0588116-2